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11 Attorneys for Third-Party Plaintiff and
12 Third-Party Defendant,
13 DANNY'S CONSTRUCTION COMPANY, LLC

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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

19 KIEWIT INFRASTRUCTURE WEST CO.,
20 for itself and its subrogated Insurers,

21 Plaintiff,

22 v.

23 SAMSON ROPE TECHNOLOGIES, INC.;
24 WESSPUR TREE & EQUIPMENT, INC.; and
25 DOES 1 to 50,

26 Defendants.

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28 AND RELATED THIRD-PARTY ACTIONS.

Case No. 2:20-cv-00527-TLN-AC

Judge: Hon. Troy L. Nunley
Dept: 2

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REQUEST FOR ORDER DISMISSING
THIRD-PARTY COMPLAINT OF
DANNY'S CONSTRUCTION
COMPANY, LLC'S AGAINST SAMSON
ROPE TECHNOLOGIES, INC. AND
WESSPUR TREE & EQUIPMENT, INC
PURSUANT TO SETTLEMENT

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[Proposed] ORDER

35 [Fed. R. Civ. P. 41(a)(2)]

36 Complaint Filed: November 14, 2019

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38 Third-Party Defendant and Third-Party Plaintiff Danny's Construction Company, LLC
39 ("Danny's") respectfully requests, pursuant to Rule 41(a)(2) of the Federal Rules of Civil
40 Procedure, that the Court enter an order dismissing Danny's Third-Party complaint against Third-
41 Party Defendants Samson Rope Technologies, Inc. ("Samson") and WesSpur Tree & Equipment,
42 Inc. ("WesSpur") , with prejudice and with each party to bear own costs, fees, and expenses.

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44 All parties to this action have entered into a global settlement of this matter, and Danny's
45 now wishes to dismiss its third-party complaint against Samson and WesSpur in accordance
46 therewith.

1 Danny's respectfully requests that the Court enter an order accordingly without hearing and
2 in the form of the order below as provided for by Local Rule 143.

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4 Dated: June 4, 2021

BREMER WHYTE BROWN & O'MEARA LLP

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6 By: /s/ Stephen C. Dreher

7 Raymond Meyer Jr.

8 Stephen C. Dreher

9 Attorneys for Third-Party Plaintiff and
Third-Party Defendant,
DANNY'S CONSTRUCTION
COMPANY, LLC

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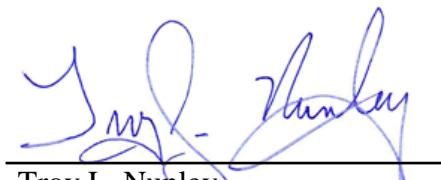
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13 **ORDER**

14 Pursuant to the foregoing request, IT IS SO ORDERED. Danny's Construction Company,
15 LLC's third-party complaint against Samson Rope Technologies, Inc. and WesSpur Tree & Equipment,
16 Inc. is hereby dismissed with prejudice, with each party to bear own costs, fees, and expenses.

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18 DATED: June 4, 2021



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20 Troy L. Nunley
United States District Judge

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